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2INFO: G(00) L(01) NSCE(00)  
 ===== 240951L OCT 94 WJM (TOTAL COPIES:001)

2INFO: SMEC(00) WO(00)  
 ===== 241447Z OCT 94 STOPS (TOTAL COPIES:000)

ACTION AF-01

INFO LOG-00 AMAD-01 CIAE-00 SMEC-00 DASY-00 DODE-00 EUR-01  
 TEDE-00 INR-00 10-16 ADS-00 NSAE-00 OIC-02 SSO-00  
 SS-00 PRME-01 DRL-09 /031W  
 -----8070B6 241344Z /38

O 241340Z OCT 94  
 FM AMEMBASSY DAR ES SALAAM  
 TO SECSTATE WASHDC IMMEDIATE 6168  
 AMEMBASSY KIGALI  
 AMEMBASSY KINSHASA  
 AMEMBASSY BUJUMBURA  
 USMISSION USUN NEW YORK  
 INFO USMISSION GENEVA  
 AMEMBASSY ADDIS ABABA  
 WHITEHOUSE WASHDC  
 AMEMBASSY BRUSSELS  
 AMEMBASSY NAIROBI

CONFIDENTIAL DAR ES SALAAM 006900

STATE PSE PASS TO US SECURITY COUNCIL COLLECTIVE  
 AS INFO

DEPT FOR C - AJOYCE; L - MMATHESON; AF -A/S MOOSE  
 WHITEHOUSE PASS TO NSC FOR RICE AND STEINBERG

E.O. 12356: OADR  
 TAGS: PHUM, PREL; AORC, RW, UN, TZ  
 SUBJECT: TANZANIAN VIEWS ON WAR CRIMES TRIBUNAL

REF: A). USUN NEW YORK 4459, B). DAR ES SALAAM 6246,  
 C). DAR ES SALAAM 6314

1. CONFIDENTIAL - ENTIRE TEXT.

2. AMBASSADOR AND REOFF (NOTETAKER) SOUGHT THE TANZANIAN  
 POSITION ON THE JURISDICTION OF THE WAR CRIMES TRIBUNAL  
 FROM JOSEPH SHIJA, ACTING DIRECTOR OF THE LEGAL AND  
 MULTILATERAL COOPERATION AFFAIRS DIVISION IN THE MINISTRY  
 OF FOREIGN AFFAIRS. SHIJA MADE THE FOLLOWING POINTS:

-TANZANIA SUPPORTS THE IDEA OF ESTABLISHMENT OF AN  
 INTERNATIONAL WAR CRIMES TRIBUNAL.

-TANZANIA SUPPORTS THE IDEA THAT THE EXISTING WAR CRIMES  
 TRIBUNAL FOR YUGOSLAVIA SHOULD DEAL WITH RWANDA. IT IS  
 MUCH QUICKER TO USE EXISTING MECHANISMS. THE SECRETARY  
 GENERAL SHOULD APPOINT NEW JUDGES AND PROSECUTORS FOR  
 RWANDA.

-PRESIDENT MWINYI OFFERED SECRETARY GENERAL THE USE OF  
 ARUSHA AS A VENUE FOR THE WAR CRIMES TRIBUNAL IF  
 INTERNATIONAL FINANCIAL SUPPORT WAS PROVIDED.

-TANZANIA HAS AGREED TO DETAIN THOSE RWANDANS WHO HAVE  
 BEEN ALLEGED TO HAVE COMMITTED GENOCIDE OR WAR CRIMES BOTH  
 INSIDE RWANDA AND INSIDE THE REFUGEE CAMPS IF THERE IS  
 REASONABLE SUSPICION.

3. SHIJA CONCLUDED THAT TANZANIA WOULD ACCEPT  
 INTERNATIONAL JURISDICTION OVER WAR CRIMES AND ACTS OF

GENOCIDE COMMITTED IN TANZANIA TERRITORY BY RWANDANS.  
 SHIJA COMMENTED THAT TANZANIA WOULD NOT WANT TO BE SEEN AS  
 PROTECTING "THOSE WHOM WE HAVE CONDEMNED."

4. COMMENT: WE WERE SURPRISED THAT SHIJA WENT AS FAR AS  
 HE DID AND DO NOT CONSIDER THIS TO BE TANZANIA'S LAST WORD  
 ON THE SUBJECT. AS REPORTED IN REFS B AND C, WE HAVE  
 DOUBTS ON TANZANIA'S ABILITY TO DETAIN INDIVIDUAL RWANDANS  
 SUSPECTED OF WAR CRIMES AND TO MAINTAIN SECURITY IN THE  
 CAMPS. WE POINTED OUT TO SHIJA THAT TANZANIA HAS DEPLOYED  
 ONLY FIFTY POLICEMEN TO ENSURE SECURITY FOR 500,000  
 REFUGEES. SHIJA ACKNOWLEDGED ONLY THAT THERE WERE  
 PRACTICAL PROBLEMS TO BE WORKED OUT. WE MAY HAVE  
 ADDITIONAL INFORMATION AFTER UNHCR REP KOLUDE DOHERTY  
 RAISES THE ISSUE WITH PRESIDENT MWINYI DURING HIS TOUR OF  
 THE REFUGEE CAMPS THIS WEEK. THE AMBASSADOR WILL ALSO  
 RAISE THE ISSUE IN A MEETING WITH HOME AFFAIRS MINISTER  
 AUGUSTINE MREMA ON OCTOBER 28 IN MOSHI.

5. POST WOULD APPRECIATE ANY INFORMATION ADDRESSES HAVE  
 ON PRESIDENT MWINYI'S OFFER OF ARUSHA AS A VENUE FOR THE  
 WAR CRIMES TRIBUNAL.

6. MINIMIZE CONSIDERED. ANDERSON

NOTE: NOT PASSED TO ABOVE ADDRESSEE(S)

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MM  
 CN  
 LIAF  
 LIAPR  
 LIAPU  
 LIUNA

UNITED STATES DEPARTMENT OF STATE  
 REVIEW AUTHORITY: HARRY R MELONE  
 DATE/CASE ID: 04 NOV 2004 200303979

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